

REMARKS

The office action of January 28, 2009, has been carefully considered.

It is noted that claims 1-15 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1, 2, 7, 14 and 15 are rejected under 35 U.S.C. 102(b) over the patent to Bessiere.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) over Bessiere.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) over Bessiere in view of the patent to Gram et al.

Claims 8-10 and 12 are rejected under 35 U.S.C. 103(a) over Bessiere.

Claim 11 is rejected under 35 U.S.C. 103(a) over Bessiere.

Claim 13 is rejected under 35 U.S.C. 103(a) over Bessiere in

view of the patent to Miyazaki.

In view of the Examiner's rejections of the claims, applicant has canceled claims 2-4, and amended claims 1, 5 and 8.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1-15 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to the patent to Bessiere, it can be seen that this patent discloses a self-regulating reciprocating action pump. The pressure generator 11, 13 and the pressure booster 1, 3, 4 are arranged in a common

housing. The pressure generator and the pressure booster are arranged along a common line. Bessiere does not disclose or suggest or teach a housing made of more than one part.

Furthermore, there is no teaching and would not be obvious to one skilled in the art based on the teachings of Bessiere to provide the two parts of the housing with joining surfaces that form an interface between the pressure generator and the pressure booster, as in the presently claimed invention. The valves 16 and 18 of Bessiere would have to be rearranged on some way in order to make the housing in two parts. However, there is nothing in Bessiere to suggest how this would be done or that it is desirable or obvious to do so. The result reached by the Examiner could only come from hind-sight reconstruction of the present invention based on the teachings found in the specification of the present application. There is no teaching of a modular construction as recited in the claims now on file.

In view of these considerations it is respectfully submitted that the rejection of claims 1, 2, 7, 14 and 15 under 35 U.S.C. 102(b), and the rejection of claims 3, 4, 8-12 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

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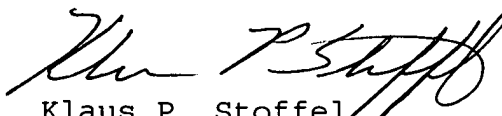
The remaining references have also been considered. It is believed that they add nothing to the teachings of Bessiere so as to suggest the presently claimed invention. Therefore, it is respectfully submitted that the rejections of claims 5-6 and 13 under 35 U.S.C. 103(a) are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on April 28, 2009.

By: 
Klaus P. Stoffel

Date: April 28, 2009